

REMARKS

Claims 1 to 23 are pending in this application. Claims 1, 21 and 22 are the independent claims. Favorable reconsideration and further examination are respectfully requested.

Applicants made a Reply to the Final Office Action on March 3, 2008 prior to the two-month date but the Reply has been ignored. Applicants contacted customer service, the Examiner and the SPE to correct the situation but nothing has been done. Applicants do not understand why the Reply has been ignored.

Initially, the Examiner conducted a telephone interview on Tuesday, January 29, 2008 with Applicants' representative Anthony T. Moosey. In the telephone interview, Applicants inquired as to the reason the Office Action did not include support in Peters for rejecting claim 23. Applicants also inquired as to the interpretation of "mirroring" being used by the Examiner with respect to the cited art. Based on at least the arguments presented below, the Examiner has indicated that the next action will be a non-final office action or a Notice of Allowance.

Claims 1 to 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Peters et al. (U.S. Patent Number 5,884,284 hereinafter "Peters").

Claim 1 is directed to a method of managing workflows in a service provider environment in which a service provider provides data storage resources to a customer. The method includes providing the customer with a list of types of work order requests to select work to be performed based on a permission level defining a level of access to the data storage resources allowed to the customer. The work order requests include requests to manage

configuration of the data storage resources provided to the customer. The method also includes receiving a selection of a type of work order request from the customer prior to performance of work associated with the selection, enabling the customer to generate a work order request of the selected type in a work order request submission, creating a database object based on the work order request and storing the database object in a database. The list of the types of work order requests includes at least one of requests to create a mirror or to restore remote mirroring.

Applicants respectfully submit that the cited art does not contain all the claim elements recited in claim 1. For example, Peters does not disclose or suggest that a list of the types of work order requests includes at least one of requests to create a mirror or to restore remote mirroring (see, for example, page 11, lines 18 to 26 of Applicants' specification).

Peters discloses a system that "creates, maintains, processes and analyzes individual users for telecommunication services" (see Abstract of Peters). Peters does not disclose or suggest mirroring much less types of work requests that include creating a mirror or restoring a remote mirror. The Examiner has cited column 10, lines 22 to 29 of Peters as support for "restoring remote mirroring" (see page 3 of the Office Action). As discussed in the aforementioned teleconference with the Examiner, the cited passage does not teach mirroring much less restoring remote mirroring. Rather, Peters teaches a Reminder Maintenance Display (RMD) function for tracking of the payment arrangements and miscellaneous reminder messages and a Front Counter Processing (FCP) function to allow a user "to perform certain functions when operating a draw or add systems front counter" (see column 10, lines 22 to 29 of Peters). Neither of these functions in Peters teaches restoring remote mirroring. Therefore, Peters does not disclose or suggest that the list of the types of work order requests includes at least one of requests to create a mirror or to restore remote mirroring as recited in claim 1.

Claim 21 is an apparatus claim having corresponding features to claim 1. Applicants submit that the Peters reference should also be withdrawn with respect to claim 21 for at least same reasons as claim 1.

Claim 22 is an apparatus claim with all the elements being means-for claim elements under 35 U.S.C. § 112, paragraph 6 having corresponding features to claim 1. Applicants submit that the Peters reference should also be withdrawn with respect to claim 22 for at least the same reasons as claim 1.

Claim 23 is further distinguished from the art in that Peters does not teach that the list of the types of work order requests further includes requests to split a business continuance volume (BCV). As discussed in the aforementioned teleconference, the Examiner has not indicated support in Peters for work order requests to split a business continuance volume (BCV) (see page 3 of the Office Action). It appears to Applicants that the Examiner had construed this limitation to be optional in claim 23 as evidenced in the office action by the Examiner's listing of "split a business continuance volume" in an "or" clause with "create a mirror" and "restore remote mirroring" from claim 22 (see page 3 of the Office Action). The Examiner has agreed that with respect to claim 23 that support in Peters for the list of the types of work order requests further including "requests to split a business continuance volume (BCV)" should have been identified in the Office Action.

Applicants submit that all dependent claims now depend on allowable independent claims.

For at least the foregoing reasons, Applicants request withdrawal of the art rejection.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or

concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for withdrawing the prior art cited with regards to any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

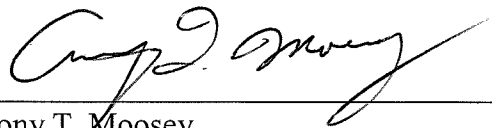
It is submitted that this reply places the application in condition for allowance or in better form for consideration on appeal, and thus, entry of this reply is respectfully requested under the provisions of 37 C.F.R. §1.116.

All correspondence should be directed to the address below. Applicants' attorney can be reached by telephone at (781) 401-9988 ext. 123.

Filed with this reply is a Petition for a Two-Month Extension of Time and electronic fee. No other fee is believed to be due for this Response; however, if any other fees are due, please apply such fees to Deposit Account No. 50-0845 referencing Attorney Docket: EMC-034PUS.

Respectfully submitted,

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